



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/869,259

11/28/2001

Jerry Moscovitch

500500008USB

2432

54984 7590 12/16/2008
MASS ENGINEERED DESIGN INC.
474 WELLINGTON STREET WEST
TORONTO, ON M5V-1E3
CANADA

EXAMINER

SHAPIRO, LEONID

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

12/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/869,259	Applicant(s) MOSCOVITCH ET AL.	
	Examiner Leonid Shapiro	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4,5,7-16 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 and 9-14 is/are allowed.
- 6) ☒ Claim(s) 4,7,8,15,16 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 4,15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Moscovitch (5,687,939).

As to claim 4, Moscovitch teaches a dual computer display system (col. 1, lines 4-6) comprising:

a first computer display connected to a computer having a first image surface for displaying a first computer image (fig. 14, item 106, col. 6, lines 1-6); and
a second computer display pivotably connected at a pivotable connection to the first computer display having a second image surface for displaying a second computer image and moveable about at least two generally orthogonal axes about the pivotable connection, wherein the second computer display can assume a lateral operating position in which the first and second computer displays are oriented laterally and the second image is viewable by a person viewing the first image, and wherein the pivotable connection connects one of the first computer display and the second computer display to a corner of the other one display (fig. 14, item 108, col. 6, lines 1-6).

As to claim 15, Moscovitch teaches a computer display system (col. 1, lines 4-6) comprising:

a support member (figs. 4-5, items 12,20);

Art Unit: 2629

a support arm extending from the support member (figs. 4-5, item 18); and two computer displays pivotably connected to opposite ends of said support arm, each said computer display being pivotable about a respective pivot point between a first orientation, in which a first edge of each said display faces the other display (figs. 3-4, items 12,14-16,18,20, col. 3, lines 13-20) and a second orientation, in which a second edge of each said display, adjacent said first edge, faces the other display, said pivot points being located such that the distance between said facing edges is substantially identical when said displays are in either of their respective first and second orientations (figs. 5-6, items 12,14-16,18,20, col. 3, lines 13-20).

As to claim 16, Moscovitch teaches pivot points are equidistant from said first and second edges (figs. 3-6, items 14-16).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7-8,19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moscovitch in view of Haneda et al. (5,900,848).

As to claim 7, Moscovitch does not disclose second computer display is moveable between a vertical operating position in which the first and second computer

Art Unit: 2629

displays are oriented vertically and the second image is viewable by the person viewing the first image; the lateral operating position; and, an opposite position in which the second image is viewable by another person opposite the person viewing the first image.

Haneda et al. teaches second computer display is moveable between a vertical operating position in which the first and second computer displays are oriented vertically and the second image is viewable by the person viewing the first image; the lateral operating position; and, an opposite position in which the second image is viewable by another person opposite the person viewing the first image (fig. 19a -19b, items 5-6, col. 14, lines 32-42).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teachings of Haneda et al. into Moscovitch system in order to enable smooth communications between people (col. 14, lines 29-31 in the Haneda et al. reference).

As to claim 8, Haneda et al. teaches the second computer display is further moveable to a stored position in which the second image surface faces the first image surface (fig. 4, col. 3, lines 62-63).

As to claim 19, Moscovitch teaches a dual computer display system (col. 1, lines 4-6) comprising:

a first computer display connected to a computer having a first image surface for displaying a first computer image (fig. 14, item 106, col. 6, lines 1-6); and

Art Unit: 2629

a second computer display pivotably connected at a pivotable connection to the first computer display having a second image surface for displaying a second computer image and moveable about at least two generally orthogonal axes about the pivotable connection, wherein the second computer display can assume a lateral operating position in which the first and second computer displays are oriented laterally and the second image is viewable by a person viewing the first image, and wherein the pivotable connection connects one of the first computer display and the second computer display to a corner of the other one display (fig. 14, item 108, col. 6, lines 1-6).

Moscovitch does not disclose second computer display is moveable between a vertical operating position in which the first and second computer displays are oriented vertically and the second image is viewable by the person viewing the first image; the lateral operating position; and, an opposite position in which the second image is viewable by another person opposite the person viewing the first image and the second computer display is further moveable to a stored position in which the second image surface faces the first image surface.

Haneda et al. teaches second computer display is moveable between a vertical operating position in which the first and second computer displays are oriented vertically and the second image is viewable by the person viewing the first image; the lateral operating position; and, an opposite position in which the second image is viewable by another person opposite the person viewing the first image (fig. 19a -19b, items 5-6, col. 14, lines 32-42), the second computer display is further moveable to a stored position in which the second image surface faces the first image surface (fig. 4, col. 3, lines 62-63).

Art Unit: 2629

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teachings of Haneda et al. into Moscovitch system in order to enable smooth communications between people (col. 14, lines 29-31 in the Haneda et al. reference).

Allowable Subject Matter

3. Claims 5, 9-14 are allowed.

Relative to claim 5 the major difference between the teaching of the prior art of record (Moscovitch and Haneda et al.) and the instant invention is that the second image is viewable by a first person viewing the first image and a second operating position in which the second image is viewable by a second person opposite the first person viewing the first image, wherein at least one of the ends is extendable between a retracted configuration and an extended configuration, thereby varying the distance between the first and second computer displays.

Claims 9-14 depend on claim 5.

Telephone inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

Art Unit: 2629

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12.11.08

/L. S./

Examiner, Art Unit 2629

/Richard Hjerpe/

Supervisory Patent Examiner, Art Unit 2629